

FORM PTO-1390
(REV 10-94)

* U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371ATTORNEY'S DOCKET NUMBER
(1171/42397) Case 151-PCT-US

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/523132INTERNATIONAL APPLICATION NO.
PCT/NZ03/000164INTERNATIONAL FILING DATE
July 25, 2003PRIORITY DATE CLAIMED
July 31, 2002

TITLE OF INVENTION ISOLATED TEMPERATURE SENSOR FOR HUMIDIFICATION SYSTEM

APPLICANT(S) FOR DO/EO/US Malcolm David Smith and Stephen William McPhee

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the first page of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the specification of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith in the International Application (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (**UNEXECUTED**).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - a. ☒ Application Data Sheet
 - b. ☒ International Prelim. Examination Report
 - c. ☒ International Search Report
 - d. ☒ A Communication

Certificate of Mailing by "Express Mail"

Mailing Label Number EV430312855USDate of Deposit: January 21, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 35 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Tiffany E. Sexton
(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Tiffany E. Sexton
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/523132</div>		INTERNATIONAL APPLICATION NO. PCT/NZ03/000164		ATTORNEY'S DOCKET NUMBER (1171/42397) Case 151-PCT-US											
17. <input checked="" type="checkbox"/> The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee\$300.00 <input checked="" type="checkbox"/> b) Examination fee\$200.00 <input checked="" type="checkbox"/> c) Search fee\$500.00 <div style="text-align: right;">TOTAL OF ABOVE CALCULATION = \$1000.00</div>				<div style="text-align: right;">\$ 300.00</div> <div style="text-align: right;">\$ 200.00</div> <div style="text-align: right;">\$ 500.00</div> <div style="text-align: right;">\$ 1000.00</div>											
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheet (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Total sheets</td> <td style="width:15%;">Extra sheets</td> <td style="width:40%;">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td style="width:10%;">RATE</td> <td style="width:20%;"></td> </tr> <tr> <td style="text-align: center;">-100=</td> <td style="text-align: center;">/50=</td> <td></td> <td style="text-align: right;">X \$250.00</td> <td style="text-align: right;">\$ -0-</td> </tr> </table>				Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		-100=	/50=		X \$250.00	\$ -0-	<div style="text-align: right;">\$ -0-</div>	
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE												
-100=	/50=		X \$250.00	\$ -0-											
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/>20 <input type="checkbox"/>30				<div style="text-align: right;">\$ -0-</div>											
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE												
Total claims	19 - 20 =	-0-	X \$50.00	\$ -0-											
Independent claims	2 - 3 =	-0-	X \$200.00	\$ -0-											
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$.00											
TOTAL OF ABOVE CALCULATIONS =				\$ 1000.00											
Reduction by ½ for filing by small entity, if applicable.				\$											
SUBTOTAL =				\$ 1000.00											
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$ -0-											
TOTAL NATIONAL FEE =				\$ 1000.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$ -0-											
TOTAL FEES ENCLOSED =				\$ 1000.00											
				Amount to be refunded:	\$										
				Amount to be charged:	\$										
a. <input checked="" type="checkbox"/> A check in the amount of \$ 1000.00 to cover the above fees is enclosed. **b. <input type="checkbox"/> Please charge my Deposit Account No. 20-1495 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1495. A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.															

SEND ALL CORRESPONDENCE TO:

RAIFORD A. BLACKSTONE, JR., ESQ.
 TREXLER, BUSHNELL, GIANGIORGI,
 BLACKSTONE & MARR, LTD.
 105 WEST ADAMS STREET, SUITE 3600
 CHICAGO, IL 60603
 (312) 704-1890


 Signature

RAIFORD A. BLACKSTONE, JR. 25,156
 Name Reg No.

PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

National Phase Application
Based Upon PCT/NZ2003/000164

Serial No.: Not Yet Assigned

Applicant: Malcolm David Smith and
Stephen William McPhee


Filed: January 21, 2005

For: ISOLATED TEMPERATURE
SENSOR FOR HUMIDIFICATION
SYSTEM

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

Attorney Docket No.:
1171/42397/151-PCT-US

Certificate of Mailing by "Express Mail"	
Express Mailing No.:	EV 430312855US
Date of Deposit:	January 21, 2005
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" Under 37 C.F.R. §1.10 on the date indicated above addressed to The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 1450	
 Tiffany E. Sexton	

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 1450

Sir:

Enclosed is a copy of the amended sheets presented during the international application phase of PCT/NZ2003/000164 under Article 19 and/or 34. These amendments were entered and considered for the purposes of the International Preliminary Examination Report and therefore should have been presented to the United States as a National Phase Office. Entry and consideration of same during the United States National Phase application is requested. Applicant advises that a Preliminary Amendment is concurrently submitted herewith amending these claims.

Should the Examiner have any questions regarding this Communication, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Dated: Jan 21, 2005

By: 

Raiford A. Blackstone, Jr., Reg. No. 25,156
Linda L. Palomar, Reg. No. 37,903

TREXLER, BUSHNELL, GIANGIORGI
BLACKSTONE & MARR, LTD.
105 W. Adams Street
Suite 3600
Chicago, Illinois 60603
(312) 704-1890

756209